

Remarks

This Amendment is in response to the Office Action of February 26, 2004 wherein the Examiner rejected claims 1-22 and 25, and objected to claims 23 and 24.

The Examiner first rejected claims 1, 14 and 15 under 35 U.S.C. 103 as being unpatentable over *Wakeen* '174 in view of *Daniels et al.* '878 and *Mayhew* '701.

Wakeen shows a grille frame, without specifying its construction, but one of ordinary skill in the art reviewing the patent would understand that grille frame ("A, B, C, D" on the Examiner's sketch) to be a steel plate frame. The steel plate frame is not defined by hollow frame members, and particularly does not include hollow vertical members (claim 1). The frame of *Wakeen* defines an open central area on a front side only and does not include a structure having three sides, each side comprising a substantially rectangular subframe, each substantially rectangular subframe defining an open central region, each subframe formed by hollow frame members (claim 14). The frame of *Wakeen* also does not include a three-dimensional space frame, which is formed by hollow frame members, wherein the space frame defines front and side open areas between adjacent vertical ones of the hollow frame members (claim 15).

Daniels et al. '878 describes a "winterfront" or panel that clips to the grille ribs 34 of a truck radiator grille. The grille ribs 34 are strictly horizontal bars of the grille that are closely spaced and function to prevent objects from striking the radiator. The grille faces the front only. *Daniels* does not disclose or suggest hollow vertical members (claims 1 and 15) or rectangular subframes on three sides, each subframe defining an open area (claim 14).

Mayhew does not disclose a grille frame defined by hollow frame members. The members 10a, 10b are L-shaped, see Figures 4 and 5, and not hollow. *Mayhew* does not disclose a grille frame fastened only at the bottom. The hood in *Mayhew* is attached at the top by "conventional means not shown" see column 3, lines 52-55.

The Examiner next rejected claims 2, 3, 16, 17, 18 and 19 under 35 U.S.C. 103 as being unpatentable over *Wakeen* '174 in view of *Daniels et al.* '878 and *Mayhew* '701 as applied to claims 1, 14 and 15 above and further in view of *Thompson* '302.

Thompson describes roadway barriers and also does not describe the grille as claimed.

The Examiner next rejected claim 4 under 35 U.S.C. 103 as being unpatentable over *Wakeen* '174 in view of *Storer* '773.

None of *Waken*, *Daniels* or *Mayhew* describe a bracket that projects through a hollow frame member. *Storer* describes a grille guard for an automobile that is mounted by brackets that penetrate through a bumper 12, not through a grille frame (see Figure 1 of *Storer*). The bumper 12 is not a hollow member.

The Examiner next rejected claims 5 and 6 under 35 U.S.C. 103 as being unpatentable over *Wakeen* '174 in view of *Storer* '773 as applied to claim 4, and further in view of *Mayhew* '701.

Mayhew also does not describe a bracket that projects through a hollow frame member.

The Examiner next rejected claims 7 and 8 under 35 U.S.C. 103 as being unpatentable over *Wakeen* '174 in view of *Storer* '773 as applied to claim 4, and further in view of *Thompson* '302.

Thompson also does not describe a bracket that projects through a hollow frame member.

The Examiner next rejected claim 9 under 35 U.S.C. 103 as being unpatentable over *Wakeen* '174 in view of *Daniels et al.* '878 and *Storer* '773.

None of these references describes a bracket or brackets that project through a hollow frame member.

The Examiner next rejected claims 10 and 11 under 35 U.S.C. 103 as being unpatentable over *Wakeen* '174 in view of *Daniels et al.* '878 and *Storer* '773 as applied to claim 9, and further in view of *Mayhew* '701.

Mayhew also does not disclose a bracket or brackets that project through a hollow frame member.

The Examiner next rejected claims 12 and 13 under 35 U.S.C. 103 as being unpatentable over *Wakeen* '174 in view of *Daniels et al.* '878 and *Storer* '773 as applied to claim 9, and further in view of *Thompson* '302.

Thompson also does not disclose a bracket or brackets that project through a hollow frame member.

The Examiner next rejected claims 20-22 under 35 U.S.C. 103 as being unpatentable over *Wakeen* '174 in view of *Daniels et al.* '878 and *Thompson* '302.

None of these references describe a front frame member comprising horizontal and vertical members that are connected together to retain air therein.

The Examiner next rejected claim 25 under 35 U.S.C. 103 as being unpatentable over *Wakeen* '174 in view of *Daniels et al.* '878 and *Thompson* '302 as applied to claim 20, and further in view of *Mayhew* '701.

Mayhew also does not describe a front frame member comprising horizontal and vertical members that are connected together to retain air therein.

By providing a structurally rigid grille frame, a mounting only at a bottom of the grille frame is made possible. This achieves important advantages. The upper portion of the tractor frame need not have provisions for upper fasteners. A more tapered upper profile is more easily achieved. A simplified assembly is achieved, reducing manufacturing costs. An increased impact resiliency is achieved wherein the upper portion of the grille frame has an increased flexure, given the absence of a rigid connection to the tractor frame.

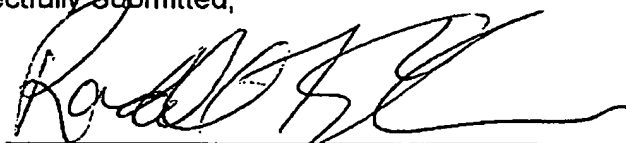
Being molded from cross-linked polyethylene and being hollow, the frame is resilient but has sufficient rigidity to enable the frame to support the grille, even though the grille is mounted to the tractor frame only at the lower portion of the hollow frame.

The Examiner next objected to claims 23 and 24 but indicated their allowability if rewritten in independent form to include the limitations of the base claim and any intervening claims. Applicants have complied with this suggestion, and as such these claims should be allowable.

Applicants submit that all claims are in condition for allowances and respectfully requests issuance of the application.

Respectfully Submitted,

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